

The Honorable Chief Judge David G. Estudillo

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

PAUL D. ETIENNE, JOSEPH J. TYSON,
THOMAS A. DALY, FRANK R.
SCHUSTER, EUSEBIO L. ELIZONDO,
GARY F. LAZZERONI, GARY M.
ZENDER, ROBERT PEARSON,
LUTAKOME NSUBUGA, JESÚS
MARISCAL, MICHAEL KELLY,

Plaintiffs,

v.

ROBERT W. FERGUSON, in his official
capacity as Governor of Washington,
NICHOLAS W. BROWN, in his official
capacity as Attorney General of
Washington, LEESA MANION, in her
official capacity as King County Prosecuting
Attorney, LARRY HASKELL, in his official
capacity as Spokane County Prosecuting
Attorney, JOSEPH BRUSIC, in his official
capacity as Yakima County Prosecuting
Attorney, RANDY FLYCKT, in his official
capacity as Adams County Prosecuting
Attorney, CURT LIEDKIE, in his official
capacity as Asotin County Prosecuting
Attorney, ERIC EISINGER, in his official
capacity as Benton County Prosecuting
Attorney, ROBERT SEALBY, in his official
capacity as Chelan County Prosecuting

Case No. 3:25-cv-05461-DGE

**DECLARATION OF MATTHEW T.
MARTENS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 Attorney, MARK NICHOLS, in his official
 2 capacity as Clallam County Prosecuting
 3 Attorney, TONY GOLIK, in his official
 4 Capacity as Clark County Prosecuting
 5 Attorney, DALE SLACK, in his official
 6 capacity as Columbia County Prosecuting
 7 Attorney, RYAN JURVAKAINEN, in his
 8 official capacity as Cowlitz County
 9 Prosecuting Attorney, GORDON EDGAR, in
 10 his official capacity as Douglas County
 11 Prosecuting Attorney, MICHAEL GOLDEN,
 12 in his official capacity as Ferry County
 13 Prosecuting Attorney, SHAWN SANT, in his
 14 official capacity as Franklin County
 15 Prosecuting Attorney, MATHEW
 16 NEWBERG, in his official capacity as
 17 Garfield County Prosecuting Attorney,
 18 KEVIN McCRAE, in his official capacity as
 19 Grant County Prosecuting Attorney, NORMA
 20 TILLOTSON, in her official capacity as Grays
 21 Harbor County Prosecuting Attorney,
 22 GREGORY BANKS, in his official capacity
 23 as Island County Prosecuting Attorney,
 24 JAMES KENNEDY, in his official capacity as
 25 Jefferson County Prosecuting Attorney,
 26 CHAD ENRIGHT, in his official capacity as
 27 Kitsap County Prosecuting Attorney,
 28 GREGORY ZEMPEL, in his official capacity
 as Kittitas County Prosecuting Attorney,
 DAVID QUESNEL, in his official capacity as
 Klickitat County Prosecuting Attorney,
 JONATHAN MEYER, in his official capacity
 as Lewis County Prosecuting Attorney, TY
 ALBERTSON, in his official capacity as
 Lincoln County Prosecuting Attorney,
 MICHAEL DORCY, in his official capacity as
 Mason County Prosecuting Attorney,
 ALBERT LIN, in his official capacity as
 Okanogan County Prosecuting Attorney,
 MICHAEL ROTHMAN, in his official
 capacity as Pacific County Prosecuting
 Attorney, DOLLY HUNT, in her official
 Capacity as Pend Orielle County Prosecuting
 Attorney, MARY ROBNETT, in her official
 capacity as Pierce County Prosecuting
 Attorney, AMY VIRA, in her official capacity
 as San Juan County Prosecuting Attorney,
 DECLARATION OF M. MARTENS IN SUPPORT OF
 PLAINTIFF'S MOT. FOR PRELIM. INJUNCTION - 2 -
 (No. 3:25-cv-05461-DGE)

1 RICH WEYRICH, in his official Capacity as
2 Skagit County Prosecuting Attorney, ADAM
3 KICK, in his official capacity as Skamania
4 County Prosecuting Attorney, JASON
5 CUMMINGS, in his official capacity as
6 Snohomish County Prosecuting Attorney,
7 ERIKA GEORGE, in her official capacity as
8 Stevens County Prosecuting Attorney, JON
9 TUNHEIM, in his official capacity as
10 Thurston County Prosecuting Attorney, DAN
11 BIGELOW, in his official capacity as
12 Wahkiakum County Prosecuting Attorney,
13 GABE ACOSTA, in his official capacity as
14 Walla Walla County Prosecuting Attorney,
15 ERIC RICHEY, in his official capacity as
16 Whatcom County Prosecuting Attorney, and
17 DENIS TRACY, in his official capacity as
18 Whitman County Prosecuting Attorney,

19 Defendants.

1 I, Matthew T. Martens, hereby declare as follows:

2 1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP and counsel to
3 Plaintiffs in the above-captioned matter.

4 2. I am over the age of eighteen and competent to make this declaration. I make this
5 declaration based on personal knowledge about which I am competent to testify.

6 3. Attached as Exhibit 1 is a true and correct copy of the Senate Bill Report for SB
7 5375 (As Passed Senate, February 28, 2025).

8 4. Attached as Exhibit 2 is a true and correct copy of the URL to access a video
9 recording of the March 14, 2025 House Early Learning & Human Services Committee Hearing
10 where Senator Noel Frame testified in support of SB 5375.

11 5. Attached as Exhibit 3 is a true and correct copy of the June 2, 2025 NonStop Local
12 Tri-Cities/Yakima article *Washington clergy challenge new child abuse reporting law* by Steven
13 Hogencamp.

14 6. Attached as Exhibit 4 is a true and correct copy of the *Charter for the Protection of*
15 *Children and Young People* by the United States Conference of Catholic Bishops.

16 7. Attached as Exhibit 5 is a true and correct excerpted copy of the 2023 *Child*
17 *Maltreatment Report*, prepared by the U.S. Department of Health & Human Services
18 Administration for Children and Families Children's Bureau.

19 8. Attached as Exhibit 6 is a true and correct copy of the May 2, 2025 Washington
20 State Standard article *New law requires clergy in Washington to report child abuse* by Jerry
21 Cornfield.

22 9. Attached as Exhibit 7 is a true and correct copy of the URL to access a video
23 recording of the January 28, 2025 Senate Human Services Committee Hearing where Senator Noel
24 Frame testified in support of SB 5375.

* * *

I declare under penalty of perjury that the foregoing is true and correct.



Matthew T. Martens

EXECUTED this 5th day of June, 2025, at Washington, DC.